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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION (UNAVEM III)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 24 of Security Council resolution 1075 (1996) of 11 October 1996, in which the Council, inter alia, requested me to report by 20 November 1996 on the progress made towards consolidating the peace process in Angola. It covers developments concerning the fulfilment of pending tasks since my last report to the Council of 4 October 1996 (S/1996/827), in particular the tasks of the União Nacional para a Independência Total de Angola (UNITA) in paragraph 12 of resolution 1075 (1996).

II. POLITICAL ASPECTS

2. Immediately after the adoption of Security Council resolution 1075 (1996), my Special Representative, Mr. Alioune Blondin Beye, undertook a series of intensive consultations with both parties, including with President José Eduardo dos Santos and with the leader of UNITA, Mr. Jonas Savimbi, who both committed themselves to the implementation of the provisions of resolution 1075 (1996). Earlier in October, Mr. Beye had held consultations in the region with the Presidents of Gabon, Namibia, Zambia and Zimbabwe, as well as with the Vice-President of South Africa, in follow-up to the summit meeting of States members of the Southern African Development Community (SADC). Several foreign dignitaries visited Angola in an attempt to encourage the parties to meet their obligations. The Managing Director of the International Monetary Fund, Mr. Michel Camdessus, also visited Angola at my request to discuss pressing economic and financial issues with the Government of Angola.

3. As promised by Mr. Savimbi, on 25 October 1996, UNITA submitted a list of tasks which it intended to fulfil by 15 November 1996. A comprehensive implementation timetable, encompassing all pending military, police and political tasks to be completed by both parties, was subsequently prepared by UNAVEM III in consultation with the Government, UNITA and the three observer States (Portugal, the Russian Federation and the United States of America) and adopted by the Joint Commission on 31 October 1996.

4. On 28 October 1996, UNITA submitted the list of officials it wished to nominate to the Government of National Unity and Reconciliation, as well as an updated list of deputies to fill the 70 seats won by UNITA in the legislative elections in 1992. In accordance with the provisions of the Lusaka Protocol on the transformation of Vorgan into a non-partisan radio station, UNITA has completed the legal and administrative formalities and submitted the necessary documentation to the Government. Earlier, on 1 October, pursuant to the request of the Joint Commission, UNITA had submitted proposals on the special constitutional status of the leader of the largest opposition party. UNITA had also proposed that the current National Assembly, whose tenure expires on 26 November 1996, be transformed into a Constituent Assembly which would revise the country's Constitution.

5. The Government, for its part, has indicated that discussions on major political issues can begin only after the completion of the military tasks enumerated in the consolidated implementation timetable. At the same time, on 13 November, the National Assembly adopted legislation that revised the Constitution to extend its current mandate until legislative elections are held, which is expected to be within no less than two and no more than four years. Following the adoption by the National Assembly of the above-mentioned legislation, the Special Representative met on 14 November with the President of the Assembly to discuss the impact of this measure on the peace process and the need to resolve constitutional issues in the spirit of consensus and mutual consultation. He also travelled on 16 November to Bailundo to review with Mr. Savimbi the implementation of the pending tasks contained in the consolidated timetable. During the meeting, Mr. Savimbi once again committed his organization to complete all the tasks assigned to UNITA on 20 November. On 14 November, the Government submitted to the Joint Commission its proposals on the specific principles of the national reconciliation on the special status of the leader of the largest opposition party. The Government and UNITA proposals will be discussed within the framework of the Joint Commission. Although the long-awaited fifth meeting between President dos Santos and Mr. Savimbi on Angolan territory has not yet taken place, the two leaders have recently re-established telephone contact and discussed several crucial aspects of the peace process.

III. MILITARY MATTERS

A. Quartering of UNITA troops

6. By 18 November, the number of UNITA troops registered in the 15 quartering areas established by the United Nations had reached a total of 65,362. This figure includes personnel from the command and control post which UNITA has started to dismantle, as well as the "UNITA police" which were referred to in my last report to the Council (S/1996/827). The latter are being quartered in accordance with the special plan approved by the Joint Commission. However, the number of UNITA personnel who have left quartering areas without authorization stood at 12,494 on 18 November. In the meantime, it is expected that UNITA troops based in Cabinda will finally be quartered in the next few days.

7. As of 18 November, a total of 29,583 personal weapons, 4,454 crew-served weapons and 8,560 kilogrammes of ammunition had been handed over to UNAVEM in quartering areas. Outside the quartering areas, UNITA had handed over at five different locations 29,723 personal weapons, 4,772 light and medium crew-served weapons and 637,232 kilogrammes of ammunition. But the quantity and quality of weapons handed over by UNITA continues to be a matter of concern. At the beginning of October, the UNAVEM Force Commander submitted to the Joint Commission a comprehensive evaluation report, in which, while commending the effort made by UNITA, he recommended that it hand over to the United Nations additional and substantial quantities of various weapons. The main conclusion drawn in his report was that UNITA had not fully implemented the provisions of the Lusaka Protocol in this crucial area. Although UNITA challenged the report's basic assumptions, stating, in particular, that large quantities of its military equipment had been lost during the hostilities between September and November 1994, the Joint Commission approved its main recommendations. UNITA is therefore expected to make additional efforts to surrender more weapons and ammunition. On 26 October, UNAVEM discovered a company's worth of weapons in a warehouse in Negage, but until 18 November UNITA refused to cooperate in the transfer of those arms to United Nations custody. Inevitably this cast doubt on UNITA's sincerity in this matter. However, on 18 November, it was reported that UNITA had agreed to have the weapons in the Negage quartering area transported to the Lobito weapon storage area. This exercise should be completed by the week ending 30 November 1996.

8. UNITA claims that it has quartered all its troops in the diamond-producing provinces of Lunda Norte and Lunda Sul, but some reports indicate that this process also is not yet complete, as some of the UNITA police personnel have been transformed into "mining police". UNAVEM III has also received information that weapons are being distributed in some areas to so-called "local self-defence" or militia elements associated with UNITA. In the meantime, each party has accused the other of acquiring and stockpiling additional weapons and war matériel, which, in their view, might indicate preparations for renewed hostilities. UNAVEM III has written to the Government and UNITA delegations to the Joint Commission requesting them to provide the United Nations with specific information about where they allege such military equipment to be located, so that proper investigations may be conducted.

B. Completion of the formation of the Angolan Armed Forces

9. The selection of UNITA troops for incorporation into the Angolan Armed Forces (FAA) has proceeded, albeit slowly, with 16,152 UNITA personnel having been selected as of 18 November 1996. This number would have been higher had the Government not imposed restrictive selection criteria. Regrettably, all selected troops remain in quartering areas and their incorporation into FAA has still not begun, even though the Government has provided UNAVEM III with comprehensive plans in this regard. For these plans to become reality, however, extensive logistic arrangements must be in place, and I once again urge the Government to expedite all necessary preparations. The Government has indicated that it will be ready to incorporate the nine UNITA Generals (some of whom arrived in Luanda in September) into FAA only after the completion of the quartering process, but I believe that the earliest possible incorporation of

these Generals would have a beneficial effect on the selection and incorporation process. The consolidated implementation timetable adopted by the Joint Commission calls for the selection of all 26,300 UNITA troops by 15 November and the incorporation of 11,300 of them by 20 November, with the remaining number scheduled to be formally inducted into FAA by 11 December 1996.

C. Status of the cease-fire, free circulation of the population and security matters

10. While the cease-fire continues to hold throughout the country, the number of cease-fire violations increased somewhat, reflecting remaining tensions in several provinces. A total of 90 incidents was reported from 1 October to 7 November, 54 of which have been confirmed by UNAVEM III. While many of these cases were related to disputes over diamond-producing areas or cattle rustling, on several occasions during the reporting period Government forces made incursions into areas vacated by UNITA; the Government forces also took over temporarily several locations around the city of Kuito (Bié Province), and one near Saurimo (Lunda Sul Province).

11. At the same time, some progress has been achieved in dismantling checkpoints maintained by UNITA and Government troops in various parts of Angola, thus contributing to the much-needed free circulation of people and goods. However, the dismantlement process is far from complete, and UNAVEM III is working with the parties to bring it nearer to completion.

12. As to interference by the parties with United Nations activities, it is regrettable that on several occasions UNAVEM III personnel have been harassed and prevented from carrying out their duties by both UNITA troops and Government police. Twenty such cases were attributed to UNITA and three to the Government. This behaviour, if unchecked, will continue to impede the operations of the Mission; the Joint Commission has repeatedly and strongly condemned such acts.

13. The last phase of the withdrawal of FAA troops from their forward positions, that is, in the Lunda Norte Province, commenced on 2 October 1996. While 453 FAA troops pulled back as required from Lucapa Town and Kalonda, some of them remained nearby, as well as near the town of Andrada; the Government insists that UNITA should vacate these sensitive areas before FAA continues its own withdrawal.

IV. POLICE ASPECTS

14. An operational plan for the incorporation of the UNITA police into the Angolan National Police (ANP) was approved by the parties on 29 October 1996. It envisages the assembly of UNITA police and their subsequent transportation to quartering areas where, after being registered, they will be disarmed and undergo a selection process for service with ANP. While UNITA gave the total strength of its police force as 5,500, UNAVEM has so far verified the presence of 4,962 of them in almost 300 locations throughout Angola.

15. According to the plan, the quartering of UNITA police was to be concluded by 10 November. However, the process started only on 11 November. Seven days later, 2,059 UNITA police had reported to quartering areas and had handed over 1,304 weapons of various types and 1,815 rounds of ammunition. In the meantime, the Government continued to canton successfully about 5,500 of its rapid reaction police. With regard to Government training of UNITA personnel to provide security for their leaders, 28 of them will complete their training in November and 79 others will follow shortly thereafter. In recent days, the process has proceeded slowly, owing again to the strict criteria imposed by the Goverrment. The selection of the remaining bodyguards was completed on 15 November and the Government's final decision concerning the new recruits is being awaited.

16. The results of the initial phases of the programme for the disarmament of the civilian population, which was launched by the Government ahead of schedule, continue to be relatively modest. The United Nations is now encouraging the authorities to embark, under UNAVEM III verification, on the enforcement stage of this operation. The successful initiation of this phase could have a positive effect on the security situation in the country, which remains precarious, as well as promote a climate of confidence between the two Angolan parties. Indications are that the Government is planning to proceed with this phase only after the extension of the State administration throughout the country, so that it can implement the programmes simultaneously nationwide.

V. OBSERVATIONS

17. The Lusaka Protocol, which was signed on 20 November 1994, has brought a two-year respite to Angola, the longest period of peace the country has experienced for decades. Much progress has been achieved during this period, and the United Nations and Member States concerned can be proud of their contribution to it.

18. However, a long-lasting settlement in Angola has not yet been achieved. Since the peace process entered its crucial phase, the international community has become increasingly disappointed at the dangerously slow pace of the implementation of the Lusaka Protocol. This concern was expressed in strong terms in Security Council resolution 1075 (1996), in which, the Council, inter alia, enumerated a series of requirements that UNITA must promptly fulfil. Since then, the agreement on a consolidated timetable for the completion of pressing tasks has brought the most urgent issues into focus. Some progress has been made, especially in recent days, but implementation of the timetable is still behind schedule. Yet again, the commitments which had been solemnly entered into only a few weeks previously, have not been fully implemented, especially by UNITA. Again the expectations of the international community have been disappointed.

19. The completion in good faith by UNITA of the quartering of its forces still remains the paramount task to be achieved. It is imperative that the UNITA leadership cooperate fully with the United Nations in resolving outstanding issues related to the quartering of all its troops, the handover of all its military equipment and the formation of the unified armed forces. For its part,

the Government is expected to complete all logistic preparations for the incorporation of UNITA troops and police personnel into FAA and ANP. Now is the time for the parties, in particular UNITA, to take decisive steps forward. I will provide the Security Council with a comprehensive update of the status of the peace process in my next report, which is due on 1 December 1996.

20. In the meantime, I urge the parties to avoid engaging in any activity which might jeopardize the peace process and aggravate the present, still tense, atmosphere. It is important that all Member States concerned step up their efforts in support of the peace process and, in this context, provide the Joint Commission with any available information on arms caches or acquisitions, as well as on clandestine concentrations of troops, in order to assist UNAVEM III in verification. I also strongly appeal to the Angolan parties, in particular to UNITA, to respect the safety and security of United Nations personnel and property. Obstruction of UNAVEM activities and harassment of its personnel are absolutely unacceptable.

21. In my forthcoming report to the Council, I will submit recommendations on the role that the United Nations should continue to play in Angola in order to consolidate the peace process, as well as plans for the further downsizing of the Mission's formed military units. In the meantime, pursuant to paragraph 45 of my last report to the Council (S/1996/827), I have decided to withdraw from Angola four United Nations infantry and support units, with a total strength of between 600 to 700 personnel, by the end of December 1996.

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS PREVENTIVE DEPLOYMENT FORCE PURSUANT TO SECURITY COUNCIL RESOLUTION 1058 (1996)

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1058 (1996) of 30 May 1996. By that resolution the Security Council decided to extend the mandate of the United Nations Preventive Deployment Force (UNPREDEP) for a period terminating on 30 November 1996. The Security Council also requested the Secretary-General to keep it regularly informed of any developments on the ground and other circumstances affecting the mandate of UNPREDEP. It further requested the Secretary-General to review the composition, strength and mandate of UNPREDEP and report to the Council by 30 September 1996 for its consideration. A preliminary review was contained in my report to the Council of 30 September (S/1996/819), in paragraph 16 of which I stated that I would present to the Council my recommendations regarding the future of UNPREDEP prior to the end of its current mandate.

II. COMPOSITION, STRENGTH AND MANDATE OF UNPREDEP

2. Since my last report to the Council, the composition, strength and mandate of UNPREDEP have remained unchanged. Its military component consists of two mechanized infantry battalions: a Nordic composite battalion and a United States Army task force, each with a strength of 500 personnel. These battalions are supported by a 50-person heavy engineering platoon from Indonesia. The total authorized military strength is 1,050 troops and 35 military observers. The number of civilian police monitors is 26, and the authorized strength of the civilian component is 168. International civilian and military personnel are drawn from 50 countries. The mission is headed by my Special Representative, Mr. Henryk Sokalski of Poland. The military component of the mission is headed by the Force Commander, Brigadier-General Bo Wranker of Sweden.

3. The current mandate of UNPREDEP derives from various decisions of the Security Council (see S/1996/819, para. 7). Following President Gligorov's request on 11 November 1992 for the deployment of United Nations observers in the former Yugoslav Republic of Macedonia to avert the possible impact there of

the conflict elsewhere in the former Yugoslavia, the Security Council authorized the establishment of a presence of the United Nations Protection Force (UNPROFOR) in that country (resolution 795 (1992) of 11 December 1992). The mandate of UNPROFOR (subsequently renamed UNPREDEP by the Council in resolution 983 (1995) of 31 March 1995) in the former Yugoslav Republic of Macedonia was of a preventive nature, aimed at enabling the country to successfully weather a potentially turbulent and hazardous period.

4. The role of UNPROFOR, under Security Council resolution 795 (1992), was to establish a small monitoring presence on the former Yugoslav Republic of Macedonia's borders with Albania and the Federal Republic of Yugoslavia, with a view to monitoring and reporting any developments in the border areas which could undermine confidence and stability in the country or threaten its territory. It was envisaged that such a United Nations presence would also deter threats from any source and help prevent clashes which otherwise might occur between external elements and the country's forces. A small United Nations civilian police detachment was also authorized to monitor the local border police. The rationale for the latter deployment was to calm tensions arising from illegal attempts to cross the border.

5. The initial military component of UNPREDEP comprised a battalion of up to 700 all ranks and 35 military observers. By resolution 842 (1993) of 18 June 1993, the Security Council welcomed the offer by a Member State to reinforce the UNPROFOR presence in the former Yugoslav Republic of Macedonia by 300 troops. Subsequently, in its resolution 1046 (1996) of 13 February 1996, the Council authorized an increase in the strength of UNPREDEP by 50 military personnel, in order to provide for a continued engineering capability in support of its operations. At that time, UNPREDEP also became independent of other peacekeeping operations.

6. In my report to the Security Council of 16 March 1994 (S/1994/300), I pointed out that the UNPROFOR presence in the former Yugoslav Republic of Macedonia appeared to have contributed to stability and had raised the political price of any external aggression against its territorial integrity. However, it was the view of the Force that the more likely sources of violence and instability were internal and thus beyond its mandate (S/1994/300, para. 42). Although I had reported that UNPROFOR was ready to lend its good offices in appropriate circumstances, it had no mandate to intervene in the event that internal instability resulted in some form of civil conflict (ibid., para. 37).

7. By its resolution 908 (1994) of 31 March 1994, the Security Council encouraged the Special Representative of the Secretary-General for the Former Yugoslavia, in cooperation with the authorities of the former Yugoslav Republic of Macedonia, to use his good offices, as appropriate, to contribute to the maintenance of peace and stability in that Republic. The civilian component of the mission, acting under the broadened political mandate thus granted to my Special Representative, has assisted in bringing together various segments of the population in an effort to promote mutual understanding between communities, monitor human rights and ease political and inter-ethnic tensions within the country. This form of action has been of special importance in view of the precarious social and economic situation, which has been compounded by the

impact on the country of mandatory sanctions against the Federal Republic of Yugoslavia and the unilateral economic blockade from the south.

8. Humanitarian assistance to the local population, especially on the part of the national battalions, has also been an important contribution, examples of which have been cited in my earlier reports. The commitment of the mission's staff, both civilian and military, as well as external donors' trust in their work, have made it possible to initiate small but effective programmes which have complemented UNPREDEP's main mandate of preventive deployment and good offices. These have had important results in building confidence between the people of the host country and the mission. They have also paved the way for any successor arrangements that may be put in place once the preventive deployment operation in the country comes to an end.

III. ACTIVITIES OF OTHER UNITED NATIONS ORGANIZATIONS, AGENCIES AND PROGRAMMES

9. Besides the important role being played by UNPREDEP, other United Nations organizations, agencies and programmes are gradually expanding their role and presence in the country, as they carry out their mandated functions. Their focus has been on institutional capacity-building and their activities are complementary to the work of UNPREDEP.

United Nations High Commissioner for Human Rights/Centre for Human Rights

10. The small and locally staffed Skopje office of the United Nations High Commissioner for Human Rights, which has been active in the former Yugoslav Republic of Macedonia since 1993, maintains close contacts with the Government for purposes of information and advisory services on human rights. It also serves as a focal point on these matters for local human rights non-governmental organizations.

United Nations Children's Fund

11. The United Nations Children's Fund (UNICEF) works closely with the Ministry of Health, Education and Physical Culture and the Ministry of Labour and Social Policy in addressing the needs of children affected by the process of economic transition and the break-up of the former Yugoslavia, and their social and economic ramifications. The Fund's major activities focus on providing and implementing the country's child immunization programme and assisting in the formulation and execution of educational reforms, as well as developing alternatives to institutional care for children. It also offers assistance to the children of Bosnian refugees in the country.

United Nations Conference on Trade and Development

12. The office of the United Nations Conference on Trade and Development (UNCTAD) in Skopje is providing two international consultants to the Government to computerize the cargo division in 21 customs export offices of the Customs Administration. The 18-month project is expected to be completed by May 1997. Conceived as an institution-building and training project, it is designed to

facilitate trade, improve customs efficiency and provide accurate import and export statistics.

United Nations Development Programme

13. Resource constraints continue to delay the establishment of a fully fledged office of the United Nations Development Programme (UNDP). However, UNDP has been able to advance its initial technical cooperation programmes. These include assistance to the Academy of Sciences and Arts in the preparation of a national development strategy, as well as support for investment promotion, standardization, metrology and quality control. The Programme is also actively involved, in consultation with UNPREDEP, in the preparation of a set of intersectoral projects in preventive peace-building designed for external funding.

Office of the United Nations High Commissioner for Refugees

14. The Office of the United Nations High Commissioner for Refugees (UNHCR) has been active in the repatriation of Bosnian refugees and their participation in the recent elections in their country. Some 897 refugees have already been repatriated and 300 more are awaiting clearance. The repatriation programme, which began last summer, will continue into 1997.

World Health Organization

15. The World Health Organization (WHO) currently maintains a liaison office in Skopje. Progress has been made on the implementation of a two-year cooperative agreement (1996-1997), based on the priority areas of the Euro Health Programme. The new activities to be initiated will concentrate on health policy development, health-care reform, prevention and control of communicable diseases, environmental health and maternal and child care. At the request of the Minister of Health, a WHO expert team has been investigating an outbreak of unidentified symptoms which affected 1,000 school children and resulted in the hospitalization of over 900 of them in the municipality of Tetovo.

World Bank

16. To date, the commitments of the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA) in the former Yugoslav Republic of Macedonia total some US$ 260 million and cover seven major projects. The latest credits include $8 million for a private farmer support project to increase agricultural productivity and income; $12 million for a private sector development project; and $17 million for a health sector transition project. Most recently the World Bank and the Government concluded negotiations on a structural adjustment loan to support trade liberalization and agricultural policy reforms.

International Monetary Fund

17. The International Monetary Fund (IMF) has completed two financial arrangements with the Government: a Systemic Transformation Facility arrangement and a standby arrangement, totalling disbursements of $75 million.

The Fund and the Government have concluded negotiations for an Enhanced Structural Adjustment Facility agreement which would provide an additional $80 million over a three-year period, at concessional interest rates. The IMF Board's approval of this agreement is expected in January 1997. The Fund has also supported numerous technical assistance programmes, including two long-term projects, one with the Department of Banking Supervision of the National Bank of Macedonia and the other, a modernization project, with the Customs Administration.

IV. RECENT DEVELOPMENTS

18. As I have previously reported to the Council, there has been considerable improvement in the relations between the former Yugoslav Republic of Macedonia and its neighbours. Nevertheless, there are areas where progress has been slow. After two meetings of the Joint Border Commission, no significant progress has yet been achieved on the question of the demarcation of the border with the Federal Republic of Yugoslavia. Likewise, in the dispute between Greece and the former Yugoslav Republic of Macedonia, some pending issues are yet to be resolved. Talks in this regard are continuing under the auspices of my Special Envoy, Mr. Cyrus Vance. Beginning on 6 November, the parties met in New York for several days and agreed to meet again at a mutually convenient date in December.

19. Inter-ethnic tensions continue to characterize the domestic political scene. The Government has stated that its policies of affirmative action on minority rights have produced positive results, particularly in the field of minority-language education, including at the university level. The present quota system provides for the university enrolment of students of a given ethnic group in proportion to that group's representation in the country's total population. Information provided by the Government also indicates that there is a steady increase in the number of staff from the various ethnic groups in State institutions.

20. The political parties of the ethnic Albanians, however, do not share the Government's assessment of the situation. Through both political action and street demonstrations, they have demanded that the Government improve the political status of Albanians and officially recognize the "University of Tetovo" within the existing educational system. They have also called for the release of all political prisoners, including the Rector of Tetovo University.

21. In the run-up to the local elections on 17 November, opposition parties expressed concern over a possible discrepancy in the number of eligible voters. Some parties have characterized the preparations and procedures of the electoral process as inadequate. These expressions of concern notwithstanding, an active electoral campaign was conducted by all major political parties, including those that had boycotted the second round of parliamentary elections held two years ago. Ultimately, except for a few incidents, the first round of the elections proceeded generally in an orderly manner.

V. OBSERVATIONS

22. As I had the opportunity to note in my most recent report to the Council (S/1996/819), peace and stability in the former Yugoslav Republic of Macedonia are intimately linked to the overall situation in the region. While much progress has been achieved there since the signing of the Dayton Agreement, it is clear that the international community's political and military involvement in the former Yugoslavia will of necessity continue for some time in order to consolidate peace and security. The original purpose of deploying a preventive United Nations mission in the former Yugoslav Republic of Macedonia was to prevent conflicts elsewhere in the former Yugoslavia from spilling over or threatening that country. Recent developments in the region, and the enhanced international standing of the former Yugoslav Republic of Macedonia, have made such a scenario more remote. Moreover, as noted above, it has become increasingly evident that the primary threat to the country's stability may come from internal political tensions. UNPREDEP has accordingly devoted considerable attention to strengthening dialogue between the political forces and has assisted in monitoring human rights and inter-ethnic relations.

23. As I stated in my report to the Council of 23 May 1996 (S/1996/373), I believe that at this time of financial crisis UNPREDEP, like all peacekeeping operations, must be rigorously evaluated in order to determine if its mandate is still relevant in the present context and, if so, whether it can be implemented with fewer resources. As pointed out in paragraph 43 of that report, the issue at stake is whether the current volume of patrolling and the current number of observation posts are absolutely necessary.

24. In previous reports I had concluded that, in order to implement the current mandate, the optimal strength and configuration of the military component of UNPREDEP was the one currently authorized. Nonetheless, I am conscious that, in this period of relative tranquillity, the Council may judge that economies are necessary. Last September, I submitted an analysis of the consequences of reverting to the original infantry strength of 700 all ranks, plus an engineering platoon of 50 (S/1996/819). I am now in a position to inform the Council that a reconfiguration along these lines would offer savings of some $400,000 per month. It would require, however, that the force shift from an active and comprehensive patrolling capability to a more limited, and at times static, monitoring presence, particularly along the northern border, a number of observation posts being eliminated.

25. I shall continue to review the status of the deployment of the Force and its concept and strength, with a view to submitting further recommendations in the light of developments in the entire region and their impact upon peace and stability in the former Yugoslav Republic of Macedonia. Meanwhile, it will be recalled that, in a letter addressed to me on 6 August 1996, the Government of the former Yugoslav Republic of Macedonia requested the extension of the UNPREDEP mandate for six months beyond 30 November 1996. I accordingly recommend that the mandate of the Force should be extended for a further six months, to 31 May 1997, with a phased reduction of the military component by 300 all ranks by 1 April 1997. This timing would allow for the reduction in the Force to be fully effected after the severe winter conditions have passed and for the Secretariat to undertake the necessary consultations with troop-

contributing countries. During this mandate period I shall also consult United Nations agencies and other relevant organizations on the modalities for continuing international support to the former Yugoslav Republic of Macedonia. On this basis I will submit recommendations to the Council on the type of international presence that would be appropriate with effect from June 1997.

26. I wish to express my gratitude to the troop-contributing countries for their contribution to the success of UNPREDEP. I also pay tribute to my Special Representative, Mr. Henryk Sokalski, and the Force Commander, Brigadier-General Bo Wranker, as well as to the dedicated civilian and military personnel of UNPREDEP who have served the mission with distinction since its inception.

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TWENTIETH PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN LIBERIA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1071 (1996) of 30 August 1996, by which the Council extended the mandate of the United Nations Observer Mission in Liberia (UNOMIL) until 30 November 1996. It provides an update on developments in Liberia since my previous report, dated 17 October 1996 (S/1996/858 and Add.1), and contains recommendations on the future role of UNOMIL.

II. POLITICAL ASPECTS

2. It will be recalled that the revised timetable for the implementation of the Abuja Agreement provided for periodic assessments by the Economic Community of West African States (ECOWAS), UNOMIL, representatives of the donor community and the Liberian National Transitional Government (LNTG). The first assessment meeting took place at Monrovia on 16 and 17 October 1996 under the chairmanship of Chief Tom Ikimi, Special Envoy of the Chairman of ECOWAS and Minister for Foreign Affairs of Nigeria.

Meeting of the ECOWAS Committee of Nine

3. The findings and recommendations of the assessment team were considered by the ECOWAS Committee of Nine on Liberia, which met at Monrovia on 8 and 9 November 1996. Member States of the Committee, including Benin, Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Guinea, Nigeria and Senegal, as well as Liberia, Mali, the Niger and Sierra Leone, attended the meeting. While Togo is a member State of the Committee of Nine, it did not send a representative to the meeting. My Special Representative, Mr. Anthony Nyakyi, the Eminent Person of the Organization of African Unity (OAU) for Liberia, the Reverend Canaan Banana, the Executive Secretary of ECOWAS, Mr. Edouard Benjamin, the Special Envoy of the United States of America for Liberia, Ambassador Howard Jeter, and senior officials of the Governments of France and the United Kingdom of Great Britain and Northern Ireland, as well as the new ECOWAS Special Representative for Liberia, Ambassador Balarabe Tafawa Balewa (Nigeria), were also present.

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4. The Committee considered that the situation in Liberia had improved markedly since the tragic events of April and May 1996. It noted, however, that the restoration of the peace process continued to be hindered by violations of the ceasefire and other serious incidents, including the detention of members of the Ceasefire Violations and Disarmament Committees at Zwedru on 17 September, the takeover of Greenville by the National Patriotic Front of Liberia (NPFL) in September, and the massacre of 21 innocent civilians at Sinje on 28 September. The Committee also condemned the apparent attempt, on 31 October, to assassinate Councilman Charles Taylor, the leader of the NPFL. This incident, which took place in the Executive Mansion, is currently under investigation by a team composed of the Ministry of Justice, UNOMIL and the ECOWAS Monitoring Group (ECOMOG). The Committee decided to recommend for the consideration of the Chairman of ECOWAS the imposition of appropriate measures against the parties responsible for these incidents.

5. The Committee of Nine also adopted a code of conduct for the Council of State, with a view to ensuring that the actions and behaviour of its members conform to the letter and spirit of the Abuja Agreement. The code of conduct, which was accepted by all members of the Council, includes punitive measures to be taken by the Chairman of ECOWAS should its terms be violated.

6. The Committee noted with concern the continuing divisions within the Council of State. While it used the opportunity of its presence in Monrovia to try to facilitate the convening of a meeting of the Council, which has not met since the shooting incident on 31 October, it was unable to do so, given the difficulties of finding a venue considered neutral and safe by all members of the Council.

Preparations for elections

7. The Committee of Nine noted that strict adherence to the Abuja Agreement, especially with regard to disarmament, would be necessary in order to establish the conditions necessary for the holding of elections. In this connection, it established a subcommittee, which, under the chairmanship of the Minister for Foreign Affairs of Nigeria, and in consultation with the United Nations and the LNTG, would review the question of elections and develop the modalities of the electoral process.

8. For its part, the Council of State has established a committee in order to seek the views of Liberian civilian and faction leaders, as well as of the Government's external partners, on the major issues relating to the holding of free and fair elections in Liberia. The committee is currently focusing its work on a review of Liberian electoral laws and constitutional provisions; the establishment of an independent and impartial administrative mechanism for the management of the electoral process; the role of the international community in the holding of elections; and the technical, logistic and financial assistance necessary to support the electoral process.

9. In this connection, I have received a request from the LNTG to send a technical survey team to Liberia to study these issues. It is my intention to send the team to Liberia in the coming weeks. It will consult with the LNTG, ECOWAS and other interested parties with a view to preparing recommendations on

the conduct of the electoral process and on the role the United Nations could play in this regard. In the meantime, an electoral officer has been assigned to UNOMIL to assist my Special Representative in carrying out this aspect of UNOMIL's mandate.

10. On 4 November, Mr. Lansana Kouyaté, Assistant Secretary-General for Political Affairs, met General Sani Abacha, the Head of State of Nigeria and Chairman of ECOWAS, to discuss, inter alia, how the United Nations and ECOWAS could further their cooperative efforts in support of the peace process in Liberia. The importance of continued close consultation between the two organizations on all matters relating to the Liberian peace process was recognized and reaffirmed.

III. MILITARY ASPECTS

Status of the ceasefire and disengagement of forces

11. The ceasefire continues to hold in Monrovia and most other parts of Liberia. On 27 October, Alhaji Kromah and Roosevelt Johnson, the leaders of the two wings of the United Liberation Movement for Democracy in Liberia (ULIMO), agreed to cease hostilities in the west and to create a buffer zone between their forces there. They also agreed to establish a joint committee of their ground commanders in order to ensure the cessation of hostilities and oversee the disengagement of their forces. ECOMOG and UNOMIL have increased their patrols in the area and have observed that, while the situation in the west remains fragile, the two factions have begun to implement their agreements.

12. Most areas of the south-east remained relatively calm during the reporting period. The Ceasefire Violations Committee (CFVC) has completed its investigation into an allegation by the Liberian Peace Council (LPC) that the NPFL had taken over the city of Greenville (see map attached). The CFVC concluded that the NPFL had overrun the city some time during the month of September 1996, in violation of the Abuja Agreement. As noted earlier, its report was considered by the ECOWAS Committee of Nine during its meeting at Monrovia on 8 November, which decided to forward the report to the Chairman of ECOWAS for review and appropriate action.

13. The LPC has also alleged that the NPFL is moving its forces north towards Zwedru in a plan to attack the area. The NPFL has denied these allegations. Attempts by the CVFC to investigate the matter have so far been unsuccessful because of the lack of cooperation from the LPC regarding security arrangements for a visit to the area. In the meantime my Special Representative has called upon Charles Taylor to desist from any intention he may have to attack Zwedru and/or its environs.

Deployment of ECOMOG and UNOMIL

14. The force strength of ECOMOG remains at 7,500 all ranks and its priority continues to be to ensure security in Monrovia. Consequently, the majority of ECOMOG troops are deployed in Monrovia and its environs, including Kakata and the Po River. ECOMOG is also deployed in Buchanan. During the reporting

period, a battalion of ECOMOG troops was redeployed to Greenville in order to facilitate the cessation of hostilities there. ECOMOG is also taking steps to deploy at Harper, the only port where ECOMOG is not currently deployed.

15. As at 15 November, the military strength of UNOMIL stood at 23 observers (see annex). UNOMIL and ECOMOG have continued to prepare for disarmament and to undertake joint patrols in the west, in Grand Cape Mount and Bomi counties, and in the north in Bong and Nimba counties, in order to monitor the ceasefire and the other military aspects of the Abuja Agreement.

16. It is expected that an additional 11 military observers will be deployed to Liberia in the coming weeks, bringing the strength of UNOMIL's military component to 34 observers. These observers will be deployed in Monrovia and at other sites in the interior of the country, in conjunction with the deployment of ECOMOG and the commencement of disarmament. The deployment of any additional military observers to Liberia will depend on progress in the peace process, particularly with regard to disarmament and demobilization.

Disarmament

17. In accordance with the revised timetable for the implementation of the Abuja Agreement, disarmament and demobilization are scheduled to commence on 22 November 1996. The concept for implementation of this process was presented in my 17 October report. Despite the failure of the factions to implement fully the ceasefire and disengagement of forces by 31 August, the ECOWAS Committee of Nine has called on ECOMOG to take the steps necessary to prepare for the commencement of disarmament on 22 November, on the basis of the manpower and logistics currently available on the ground. To this end, the ECOMOG Force Commander has indicated that he will start deploying ECOMOG troops on 20 November to the following disarmament sites: Voinjama, Bo Waterside, Camp Naama, SOS Village, Zwedru and Tubmanburg. Disarmament will also take place in Monrovia, at Camp Schiefflin, and in Greenville. UNOMIL military observers will be co-deployed with ECOMOG at the disarmament sites. The commencement of this exercise, and indeed its successful conclusion, will, of course, depend on the willingness of the faction leaders to bring forth their fighters to be disarmed.

18. The current state of planning for the demobilization of the fighters after they have been disarmed is described below, in paragraphs 26 to 28.

Meeting of the ECOWAS Chiefs of Staff

19. The fourteenth meeting of the ECOWAS Chiefs of Staff was held at Monrovia on 5 and 6 November 1996. The Chiefs of Staff of Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Mali and the Niger reiterated the pledges made by their Governments to contribute additional troops to ECOMOG, provided the necessary logistic resources were forthcoming. These pledges amount to an additional 2,250 troops. The ECOWAS secretariat has requested all potential ECOMOG troop-contributing countries to provide it with details of the logistic requirements necessary for the deployment of their contingents, with a view to presenting these requirements to donor countries.

IV. HUMAN RIGHTS

20. The conflict in Liberia has been characterized by a tendency on the part of all factions to commit human rights violations against innocent civilians. The ECOWAS Committee of Nine deplored this tendency during its meeting on 8 and 9 November and called on the factions to desist from such practices. The ability of UNOMIL and local human rights groups to address reported violations of human rights has been impeded, however, by the looting that followed the outbreak of fighting in Monrovia on 6 April. Local human rights groups are in the process of rebuilding their capacity in this field and UNOMIL has continued to pursue its human rights mandate in both investigating and reporting on violations of human rights, and assisting local human rights groups in their work. In this connection, UNOMIL, in cooperation with the Ministry of Justice, ECOMOG and local human rights groups, is continuing its investigation into the 28 September massacre of 21 innocent civilians at Sinje, and is following up on other allegations of human rights violations, to the extent possible within its limited staffing and resources.

21. As noted in my previous report, I have assigned a human rights officer to assist my Special Representative in carrying out this aspect of UNOMIL's mandate and I am taking steps to appoint two additional human rights officers for UNOMIL. As UNOMIL strengthens its human rights activities, it will continue, in accordance with its mandate, to assist local human rights groups in raising voluntary contributions for training and logistic support. I call on the international community to consider ways in which it can assist in this regard and provide technical and logistical assistance, either through the United Nations Trust Fund for Liberia or on a bilateral basis.

V. HUMANITARIAN ASPECTS

Relief and resettlement

22. During the reporting period, the humanitarian community continued to respond to the humanitarian needs of civilians in all accessible areas. It is hoped that relief agencies can soon begin operating in the south-east following the ECOMOG deployment in Greenville. At the present time, only 4 out of 13 counties remain inaccessible to the humanitarian community. Nevertheless, civilians and humanitarian workers continue to be harassed and abused by fighters. The civilian population in several areas has been denied freedom of movement, with people being pressed into forced labour or having their meagre food reserves, standing crops and personal belongings stolen by the fighters. In some instances, civilians have asked relief workers not to bring them food, fearing that it would only attract further harassment and suffering.

23. As for the humanitarian community, a United Nations/non-governmental organization humanitarian team was detained on 17 October by fighters in Grand Cape Mount county. The situation is, however, expected to improve following the agreement between the two wings of ULIMO to cease hostilities. On 28 October in Phebe, Bong county, relief supplies, vehicles and equipment belonging to the World Food Programme (WFP) and the Lutheran World Federation (LWF) were seized and their staff harassed and detained. The shooting incident at the Executive

Mansion in Monrovia on 31 October, by heightening tensions among the factions, has had an adverse impact on humanitarian operations in the interior and led to threats that relief workers would be taken hostage if arrests were made in connection with the incident.

24. The situation of refugees remains essentially unchanged since my previous report. While the new timetable for the implementation of the Abuja Agreement foresees that repatriation of Liberian refugees will start on 22 November 1996, the Office of the United Nations High Commissioner for Refugees (UNHCR) cannot reactivate its voluntary repatriation plan until there are clear indications that peace and security have been restored on a durable basis in the major areas of return.

25. Continued insecurity has also prevented UNHCR from assisting the majority of Sierra Leonean refugees living in rural areas of Liberia. UNHCR and its partners continue to extend protection and support to some 30,000 Sierra Leonean refugees in the Monrovia area. The large majority of this group are expected to seek assistance from UNHCR in returning home over the next 12 months.

Demobilization

26. In my report of 17 October, I presented a plan for demobilization, which had been developed by the United Nations Humanitarian Assistance Coordinator (HACO) and UNOMIL, in consultation with ECOMOG, the LNTG and the factions. The plan includes a two-stage programme. During the first stage, which begins as soon as combatants are disarmed, they are registered, interviewed and receive some counselling and a medical examination. Thereafter the second stage begins and those who have no immediate means of livelihood will be absorbed into "bridging activities", that is, work and training projects that will help ensure they are productively engaged. This will assist in bridging the gap between disarmament and longer-term reintegration programmes - which constitute the third stage and which are currently being planned by donors, but are not likely to be operational for some months.

27. As indicated earlier, ECOMOG is taking the necessary steps to commence disarmament on 22 November. However, because of the unwillingness of the factions to implement fully the first steps of the Abuja Agreement, that is, cessation of all hostilities and disengagement of forces, the resources necessary to implement the demobilization programme are not in place, especially as regards the bridging activities. Nevertheless, HACO and UNOMIL will start demobilization on 22 November, in tandem, to the extent possible, with the commencement of disarmament. However, as a result of the limited means available, the only demobilization assistance that can be provided at this time will consist of registration and interviewing.

28. As a stop-gap measure, HACO is working with non-governmental organizations and donors in order to mobilize any capacity that currently exists on the ground to start bridging activities immediately. However, since the present capacity of the humanitarian community is severely limited, these temporary measures can at best meet only a small proportion of the expected demand for bridging activities. To sustain the demobilization programme, additional resources must be provided urgently, either through the UNOMIL budget, which will shortly be

submitted to the competent United Nations legislative bodies, or on a voluntary basis. The shortage of resources for bridging activities poses a potentially serious problem that would set back the peace process in the all too likely event that ex-combatants, in the absence of any alternative means of livelihood, turn to banditry or rejoin their factions. I therefore call on the international community to respond quickly to this urgent need and provide the resources necessary to enable critical bridging activities to commence as soon as possible.

VI. FINANCIAL ASPECTS

29. By its resolution 51/3 of 17 October 1996, the General Assembly provided an appropriation in the amount of $8,176,000 gross, to be assessed at a rate of $1,168,000 per month, for the maintenance of UNOMIL for the period from 1 December 1996 to 30 June 1997, subject to the decision of the Security Council to extend the mandate of the Mission.

30. Should the Security Council decide to extend the mandate of UNOMIL, as recommended in my report of 17 October (S/1996/858 and Add.1) and in paragraph 38 below, the additional requirements for the Mission will be sought from the General Assembly at its current session.

31. As at 31 October 1996, unpaid assessed contributions to the UNOMIL special account since its inception amounted to $10.5 million. The total of outstanding assessed contributions for all peacekeeping operations as at 31 October was $1,774 million.

32. Since my previous report, there have been no further voluntary contributions to the United Nations Trust Fund for Liberia.

VII. OBSERVATIONS AND RECOMMENDATIONS

33. Despite the disturbing shooting incident at the Executive Mansion on 31 October 1996, there have been some relatively encouraging developments during the reporting period. ECOMOG has acted quickly and decisively to respond to events in Liberia. Steps have also been taken to address the complicated question of how to hold free and fair elections in Liberia. Another positive development has been the recent demonstration of support on the part of the international community to assist the peace process in Liberia. In addition, the ECOWAS countries have reiterated their determination to increase the force level of ECOMOG, subject to the provision of logistic and financial resources.

34. During a special conference on Liberia, held at the working level in New York on 22 October 1996, under the auspices of the United Nations, donor and ECOWAS countries considered the various aspects of peacekeeping and peace-building in Liberia, which required external support to underpin the overall peace process. Their consideration of these issues will continue at the ministerial level during a conference scheduled to be held at Brussels on 21 November, under the auspices of the Government of the Netherlands. I call on donors to ensure that their expressions of support are quickly turned into

concrete contributions, including the critical resources needed for the expansion of ECOMOG, the demobilization of combatants and the holding of elections.

35. During the 22 October meeting, concern was expressed that progress in the peace process had been adversely affected by the failure of the faction leaders adequately to inform their fighters about the revised timetable of the Abuja Agreement and the need to cease hostilities, disengage and prepare for disarmament and demobilization. To assist in this process, I have been exploring with the United Nations Development Programme (UNDP) and others the possibility of establishing a coordinated information programme in Liberia, based on radio broadcasts. A mission is being dispatched to Liberia to review this matter and develop recommendations on how to facilitate the wider dissemination of information.

36. While there have recently been some positive developments, the entrenched hostility and mistrust that have resulted from this protracted conflict continue to pose a threat to the peace process in Liberia. It is important that the faction and civilian leaders take steps to overcome these obstacles and work together constructively within the Council of State, so that the peace process can move forward. In this connection, I am encouraged by the recent rapprochement between the two wings of ULIMO. I remain concerned, however, about the continuing tensions between some of the other factions, in particular NPFL and LPC. I call upon the leaders of these factions to put aside their differences for the sake of peace in their country and to use the political process, instead of military means, to promote the interests of the people they claim to represent. I also call on them to facilitate the delivery of urgently needed humanitarian assistance to those in need.

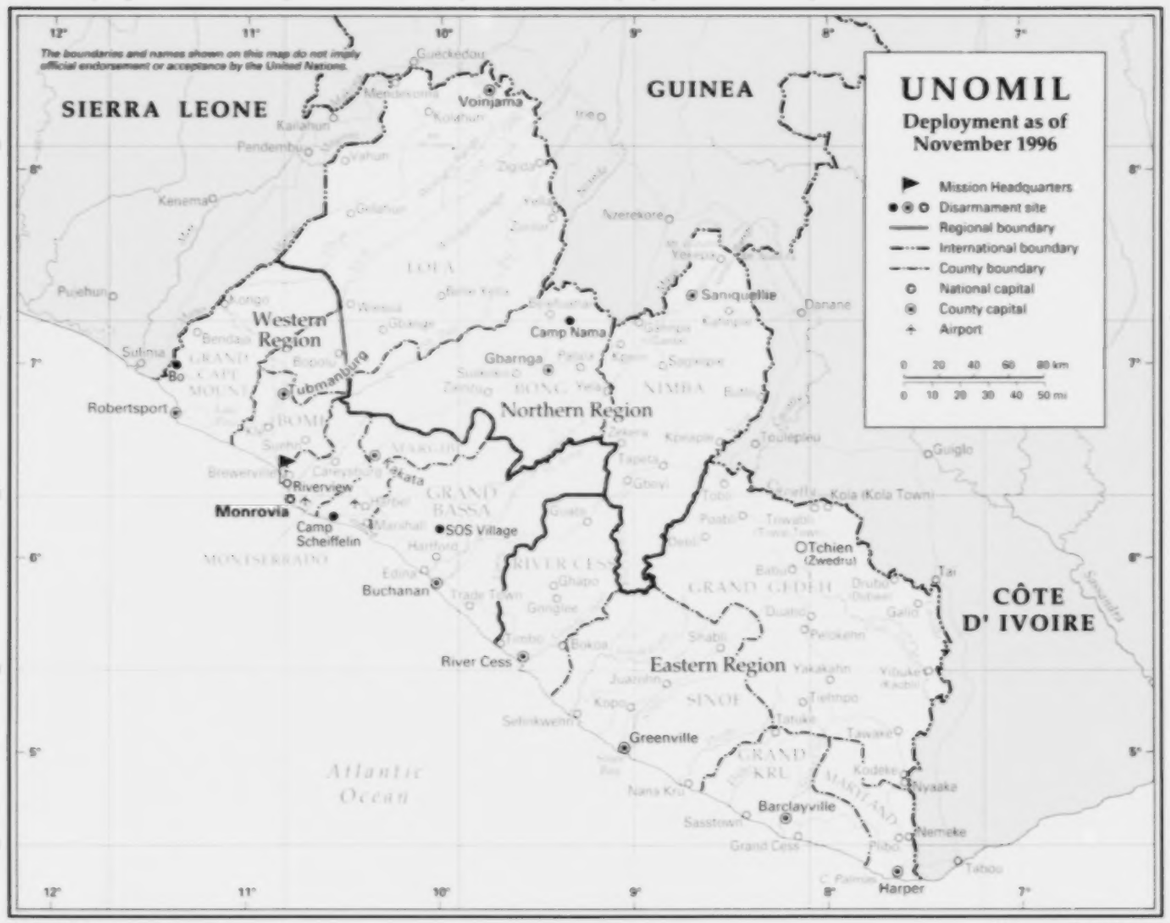
37. In my previous report to the Security Council, I provided recommendations, as requested in Security Council resolution 1071 (1996) of 30 August, on additional ways in which UNOMIL could support the peace process in Liberia. In a letter addressed to me on 8 November (PRST/1996/917), the President of the Security Council indicated that the Council welcomed these recommendations and requested me to make all appropriate arrangements necessary to carry them out, on the understanding that the deployment of the personnel and logistic resources necessary for this purpose would not be undertaken unless sufficient progress was made by the factions in the implementation of the Abuja Agreement. I shall accordingly submit a revised budget for UNOMIL to the competent legislative bodies in the near future.

38. In the meantime, I recommend that the Security Council extend the mandate of UNOMIL for a further period of four months, until 31 March 1997. During this period, I will continue to keep the situation in Liberia under close review and submit to the Security Council by 31 January 1997 a progress report containing, inter alia, recommendations on the role the United Nations could play in facilitating the holding of free and fair elections in that country.

Annex

Composition of the military component of UNOMIL as at 15 November 1996

Bangladesh	3
China	2
Czech Republic	-
Egypt	4
India	3
Kenya	5
Malaysia	2
Nepal	-
Pakistan	2
Uruguay	2
Total	23



Map No. 3802 Rev. 20 UNITED NATIONS
November 1996

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Cartographic Section

UNITED
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General Assembly
Security Council

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A/51/687
S/1996/963
21 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 21 November 1996 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 8 October 1996 (A/51/487-S/1996/846), I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, which were recorded on 15 November 1996.

On that day, at 1220 hours, six Turkish Air Force jet fighters violated the national airspace of the Republic of Cyprus, entering the Nicosia flight information region, flying over the occupied areas of Cyprus without permission and exited at 1232 hours.

Such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they heighten tension in Cyprus, as clearly acknowledged in the latest Security Council resolution on Cyprus (resolution 1062 (1996)) of 28 June 1996.

On behalf of the Government of the Republic of Cyprus, I wish to protest strongly against the new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative
of the Republic of Cyprus
to the United Nations

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General Assembly
Security Council

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A/51/685
S/1996/964
20 November 1996
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GENERAL ASSEMBLY
Fifty-first session
Agenda item 43
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-first year

Identical letters dated 18 November 1996 from the Permanent Representative of Burundi to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to convey to you the attached message in which the Government of Burundi, through the Minister for Foreign Affairs and Cooperation, confirms its willingness to make a contribution in a number of areas, including authorizing the use of the Bujumbura international airport, in the context of the need for humanitarian assistance stemming from the human tragedy in eastern Zaire. I had already announced Burundi's position on this matter on 14 November 1996 at the meeting of delegations accredited to the United Nations, which was co-chaired by the Deputy Chief of Defence Staff of Canada and by the Commander of the multinational force. On that occasion, I had noted that my Government, through the head of State, had already renewed its invitation to all Burundian refugees to return to their homeland in complete safety (see my letter of 1 November 1996). I had added that the Burundian Government might even consider the possibility of sending a special delegation to its nationals in Zaire to assure them as to their security both during their return journey and after their arrival in Burundi. I had specified, however, that this plan was being seriously jeopardized by the total economic embargo imposed against Burundi, and I had stressed the urgent need to lift this embargo to allow our country to participate in this important humanitarian operation in many ways, such as by making available the Bujumbura international airport, the hospitals and modern hotels of the capital, the social centres and other reception facilities, the road networks and, especially, hospital and medical personnel.

My Government would be grateful if you would have the text of this letter and the attached message from the Burundian Minister for Foreign Affairs circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(Signed) Nsanze TERENCE
Ambassador
Permanent Representative

ANNEX

Identical letters dated 18 November 1996 from the Minister for Foreign Affairs and Cooperation of Burundi addressed to the Secretary-General and to the President of the Security Council

I have the honour to confirm the willingness of the Government of the Republic of Burundi to facilitate, insofar as possible, the implementation of Security Council resolution 1080 (1996) of 9 November 1996.

This willingness was expressed by the country's highest authorities, in particular when they again called on all Burundian refugees, especially those who had sought asylum in eastern Zaire, to return to Burundi. Backing up its words with action, the Government of Burundi has since assured the repatriation, in dignity and complete safety, of more than 33,000 refugees. It hereby reaffirms its desire to repatriate, under the same conditions, all the refugees who wish to return.

Having been requested, in particular by Canada, the United States of America and France, to make available certain facilities to help and assist the displaced persons, refugees and Zairian civilian populations in eastern Zaire, Burundi again expressed its concern at this humanitarian crisis. Moreover, it declared itself prepared to take any measures within its competence to facilitate the use of the Bujumbura international airport for this purpose.

The goodwill of my Government is being thwarted, however, by the air, lake and land embargo which a coalition of countries of the subregion has imposed against Burundi for the past three and a half months.

Furthermore, it would be inexcusable for the envisaged operation to take place without taking into account the grave humanitarian situation of the Burundian populations in the country's interior, a situation which should elicit the international community's concern just as strongly.

This position has been conveyed to the Special Envoy of the Secretary-General, Ambassador Raymond Chrétien, and to the States concerned. Consultations on the same subject are also being held with a number of leaders in the countries of the subregion.

In this context, the Burundian Government would be grateful if you would join it in its efforts to obtain the cooperation of the countries of the subregion so as to be able to give concrete expression to its willingness to help all the populations who are in need of humanitarian assistance in this geographical area.

(Signed) Luc RUKINGAMA
Minister for Foreign Affairs
and Cooperation

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S/1996/965
20 November 1996

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of a resolution of the European Parliament on the situation in Abkhazia, Georgia, dated 12 November 1996.

May I ask your kind assistance in circulating the present letter and enclosed text as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Permanent Representative

96-32841 (E) 211196

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Annex

[Original: English and French]

Resolution of the European Parliament on the situation in Abkhazia, Georgia, dated 12 November 1996

The European Parliament,

Having regard to the signing of a partnership and cooperation agreement between the European Union and Georgia,

Having regard to the Quadripartite Agreement on the voluntary return of refugees and displaced persons signed on 4 April 1994 between the Georgian and Abkhaz sides and the declaration of measures for a political settlement of the Georgian-Abkhaz conflict signed on the same date,

Emphasizing that stability and security are a precondition for the continuation of the necessary process of economic and democratic reform in all States of the former Soviet Union,

Whereas Georgia has been largely devastated by several years of civil war and ethnic conflicts, in particular in Abkhazia, which have forced many thousands of refugees to flee their houses due to ethnic cleansing,

Noting with deep concern that no significant progress has yet been achieved towards a comprehensive political settlement of the conflict in Abkhazia, including its political status, since the agreement of 14 May 1994 on a ceasefire and a separation of forces in this region,

Whereas any lasting solution to the conflict in this region should respect the sovereignty and territorial integrity of Georgia within its internationally recognized borders,

Deeply concerned about the great number of refugees from Abkhazia living in Georgia, and deeply concerned about the continuing process of ethnic cleansing in the Abkhaz region,

Whereas actions such as mine-laying and other threats against the United Nations Observer Mission in Georgia (UNOMIG) and the CIS peacekeeping force referred to in the report of the Secretary-General of the United Nations contribute to an escalation of tension,

Deeply concerned about the announcement by the Abkhaz side on the organization of so-called parliamentary elections to be held on 23 November 1996 in which no refugees and displaced persons will be allowed to participate,

1. Reaffirms its full commitment to the establishment of peace, stability and security in the States of the former Soviet Union as a precondition to the necessary process of economic and democratic reform;

2. Stresses that a final peaceful solution to the conflict in Abkhazia should be based on a comprehensive political settlement respecting the sovereignty and territorial integrity of Georgia within its internationally recognized borders;

3. Stresses that elections can only be held in Abkhazia after the determination through negotiations of the political status of Abkhazia within the framework of a comprehensive political settlement and with the guaranteed possibility of full participation for all refugees and displaced persons;

4. Calls on the Abkhaz side to call off the organization of the so-called parliamentary elections to be held on 23 November 1996;

5. Stresses the importance of the right of all displaced persons and refugees to return voluntarily to their places of origin or residence, irrespective of their ethnic, social or political affiliation, under conditions of complete safety and dignity, and is concerned about the continued obstruction of this right for the refugees and displaced persons from Abkhazia;

6. Condemns all actions which threaten UNOMIG and the CIS peacekeeping forces, such as mine-laying, and calls on all parties to take the necessary steps to prevent such acts;

7. Calls on the Council and the Commission to give active support to the United Nations mission in Abkhazia and to promote, in cooperation with the United Nations mission, confidence-building measures for the Georgian and Abkhaz citizens of the Republic of Georgia;

8. Calls on the Council and the Commission to strengthen technical assistance to CIS and Georgia (TACIS) and European Community Humanitarian Office (ECHO) programmes in the region, and especially to strengthen the cooperation between ECHO and TACIS in order to build a bridge from short-term humanitarian relief to long-term sustainable development;

9. Instructs its President to forward this resolution to the Commission, the Council, the Government and Parliament of Georgia, and the Abkhaz side.

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GENERAL

S/1996/966
21 November 1996

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to resolution 1076 (1996) on the situation in Afghanistan, which was adopted by the Security Council on 22 October 1996 and, in particular, to paragraph 7 of that resolution.

In accordance with that paragraph, I invited a group of 19 interested Member States, together with the Organization of the Islamic Conference (OIC), to a one-day meeting of consultation in New York on 18 November 1996. The purposes of the meeting were twofold: to brief the participants on the United Nations current efforts in Afghanistan in the political, humanitarian and developmental fields; and to discuss with them what more they could do to support those efforts, with special reference to the conclusion of a ceasefire and the initiation of a political process leading to a negotiated settlement of the conflict.

The Member States invited were China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Saudi Arabia, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan.

All participants made substantive contributions to the debate and a pleasing degree of consensus was revealed. The message that the meeting sent to the Afghan parties was clear. This well-informed and influential group of countries unanimously expressed their conviction that there was no military solution to the conflict in Afghanistan. They wanted an immediate ceasefire, which in the view of almost all of them should include the demilitarization of Kabul. They wanted the Afghan parties to join in a genuine effort to find a political settlement to their conflict. They expressed their readiness to join in coordinated international efforts to help the Afghan parties to achieve this.

All the participants said that the present situation could not be allowed to continue. It was intolerable in terms of the suffering it imposed on the Afghan people. It was also intolerable in the threats that it presented to the region and the world: the threats of regional destabilization, of drugs, of terrorism, of illegal arms flows.

The participants also reaffirmed the principles enshrined in General Assembly resolution 50/88 B of 19 December 1995, namely respect for

Afghanistan's sovereignty, independence and territorial integrity; the need for the Afghan parties to negotiate a political settlement that would respect the rights of all groups, including their human rights; and an end to foreign interference, especially through the supply of arms. And they reaffirmed support for the kind of peace process that was outlined in paragraph 4 of resolution 50/88 B.

All the participants confirmed that the United Nations had a central role to play in helping the Afghan parties to define and implement a peace process, in close consultation with OIC, whose efforts should be complementary to those of the United Nations. They were unanimous in their appreciation of the efforts of the Special Mission under the leadership of Mr. Norbert Holl, especially his current efforts to bring about a ceasefire in and around Kabul, and pledged their continued support for those efforts. I was particularly encouraged that they responded positively to my call for close coordination between their own mediating efforts and those of the United Nations.

In my summing up at the end of the meeting I was able to conclude that the delegations present had responded positively on a number of key issues. They had indicated that they would use their influence with the various factions to persuade them to give up the military option and join in the common search for a negotiated peace. They had given a positive response to my request that countries with influence in Afghanistan should be ready, individually or collectively, to help the United Nations efforts when the United Nations so requests. Most expressed the view that it would be useful for the group to continue to meet informally from time to time and at various levels. There was also widespread support for the idea that in due course an international conference should be convened to support negotiations and endorse their results. A number of delegations offered to host such a conference and/or earlier direct negotiations between the Afghan parties.

Participants also showed a keen interest in collective action to curb or halt the flow of arms and ammunition into Afghanistan. Some suggested that the Wassenaar regime for the point of origin control of conventional weapons transfers could be useful in this context. Others favoured a formal arms embargo by the Security Council.

The participants were unanimous in their desire to alleviate the suffering which the Afghan conflict imposed on the ordinary people of that country. A number of them also shared my view that the promise of a major international effort to reconstruct Afghanistan when peace was restored could itself be an important incentive to the faction leaders to negotiate a peace settlement.

I conclude that this meeting was a useful first gathering of a group of countries that are particularly well placed to support the efforts of the Secretary-General to carry out the mandates entrusted to him by the Security Council and the General Assembly. It is my intention to convene further informal meetings of the group from time to time.

I should be grateful, Mr. President, if you would convey this information to the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Security Council

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S/1996/967
21 November 1996

ORIGINAL: ENGLISH

LETTER DATED 21 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you herewith the text of a statement on the question of the number of Rwandan refugees in eastern Zaire as at 21 November 1996.

Following consultations with the representatives of the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF) based in Rwanda, the question of the Rwandan refugees in eastern Zaire has now been clarified.

Please find attached a copy of the statement which was issued after consultations with the above-mentioned United Nations bodies.

I should be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(Signed) Gideon KAYINAMURA
Ambassador
Permanent Representative
of Rwanda to the United Nations

Annex

Statement issued by the Government of Rwanda on 21 November 1996 following consultations with the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the World Food Programme and the United Nations Children's Fund

A meeting was called by the Minister of Rehabilitation and Social Integration on 21 November 1996 to examine the situation of Rwandan refugees returning from Zaire, as well as to establish how many Rwandan refugees needed assistance in south Kivu (Bukavu area).

In view of the conflicting figures for Rwandan refugees still in Zaire, the meeting examined recorded UNHCR figures in eastern Zaire before the current massive repatriation of refugees and agreed that the bulk of the Rwandan refugees in Zaire had returned to Rwanda.

The meeting, basing itself on UNHCR figures of 26 September 1996, agreed that the total number of Rwandan refugees in south Kivu was about 380,000 with a 10 per cent margin of error.

In view of the fact that neither UNHCR nor the Government of Rwanda had done a physical count of the refugees who had recently returned, considering the fact that all camps in north Kivu were empty, noting that interviews with the refugees had established that refugees arriving in Rwanda through Gisenyi included refugees from Bukavu who had moved northward as a result of the war in the south, and also noting the figure of 380,000 Rwandan refugees in south Kivu before the 1996 war, the meeting concluded that statements claiming that there were 500,000 or 700,00 Rwandan refugees still in the Bukavu area were totally incorrect and misleading.

The meeting also observed that those who had moved to the west of Bukavu during the fighting could be either Burundis, Zaireans or Rwandans. There are indications that this group is moving eastwards. The meeting appealed to the aid agencies to provide the necessary assistance to the entire affected population in eastern Zaire.

The meeting also confirmed that there are daily crossings of refugees from the Bukavu area through the Cyangugu border post and other crossing points in the south.

The meeting noted that a team composed of WFP, UNICEF, UNHCR and UNDP has been allowed into Bukavu to make an assessment of humanitarian needs.

The meeting was informed that humanitarian agencies, particularly UNHCR, WFP, UNICEF, ICRC and others, are on standby in Cyangugu and are ready to operate in the south Kivu area as soon as possible.

The Government of Rwanda undertook to continue to use its good offices to facilitate the delivery of humanitarian assistance to all those in need in eastern Zaire, especially the repatriation of all Rwandan refugees.

The meeting was attended by the Ministers of Health and Foreign Affairs, the political adviser to the Vice-President and Minister of Defence, the Personal Assistant to the Vice-President and Minister of Defence, the Special Envoy of UNHCR in the Great Lakes region and the representatives of UNDP, UNHCR, UNICEF, WFP and the International Committee of the Red Cross.

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S/1996/968
22 November 1996

ORIGINAL: ENGLISH

LETTER DATED 21 NOVEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 20 November 1996, which I have received from the High Representative, Mr. Carl Bildt (see annex).

I would appreciate your bringing it to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-33360 (E) 221196 231196

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Annex

Letter dated 20 November 1996 from the High Representative for implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to transmit to you the enclosed Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia and Herzegovina, outlining the guiding principles of the civilian consolidation plan (see appendix). I would like to request that these Conclusions be circulated as a document of the Security Council.

(Signed) Carl BILDT

Appendix

Conclusions of the Ministerial Steering Board and of the Presidency of Bosnia-Herzegovina

Paris - 14 November 1996

GUIDING PRINCIPLES OF THE CIVILIAN CONSOLIDATION PLAN

1) The Ministers of Foreign Affairs or Representatives of France, Canada, Germany, Italy, Japan, Russia, the United Kingdom, the United States, the Presidency of the European Union and the Netherlands, the European Commission, the Organization of the Islamic Conference, the United Nations, the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe, the North Atlantic Treaty Organisation, meeting in Paris within the framework of the Steering Board of the Bosnia and Herzegovina Peace Implementation Council under the Chairmanship of the High Representative,

- Presidents Alija Izetbegovic, Chair, Kresimir Zubak, Momcilo Krajisnik, the Presidency of Bosnia and Herzegovina,

- the Foreign Ministers of Croatia and of the Federal Republic of Yougoslavia, signatories to the Peace Agreement and present as such,

met in Paris on November 14, 1996 in order to define the principles for civilian consolidation of the peace process which has been implemented in Bosnia and Herzegovina since the signature of the Peace Agreement in Paris on December 14, 1995. They welcomed the common platform of the Presidency of Bosnia and Herzegovina, which helps to create a good basis for peace consolidation in the country.

2) This first year of peace implementation has been marked by much progress and has opened the way to a lasting military and civilian stabilization of the country, allowing the organization of general elections and a start to establishing the common institutions of Bosnia and Herzegovina. Implementation of the first stage of the multi-year reconstruction programme has begun. Urgent humanitarian relief needs have diminished considerably. At the same time, only modest progress has been achieved on the return of refugees and displaced persons. The Presidency noted the Steering Board's concern at the lack of sufficient progress in implementing the Peace Agreement in a number of important areas.

To ensure continued success of the peace agenda, the Steering Board and the Presidency have today established guiding principles for their actions in 1997 and 1998. These guiding principles will pave the way towards further progress during the next two years, with the authorities of Bosnia and Herzegovina increasingly assuming greater responsibility for the functions now undertaken or coordinated by the international community.

Indeed, the prime responsibility for implementing the Peace Agreement lies with the different authorities of Bosnia and Herzegovina. Without compliance and active participation in rebuilding a civil society, they cannot expect that the international community and major donors will continue shouldering the burden of implementation and reconstruction efforts.

The participants emphasized that the consolidation of peace in Bosnia and Herzegovina is integral to stabilization of the region. They welcomed the positive initiatives taken in this sphere, and in particular the European Union's regional approach, the Stability Process initiated at Royaumont, the Southeastern European Cooperation Initiative, the Central European Initiative and the meeting of Foreign Ministers of Balkan countries.

3) The Presidency of Bosnia and Herzegovina reaffirms its commitment to fully pursuing -in the name of the three constituent peoples of Bosnia and Herzegovina- the peace process, in accordance with the Peace Agreement and the sovereignty and territorial integrity of this country, including the development of a Bosnian State based on the principles of democracy and consisting of the two entities : the Federation of Bosnia and Herzegovina and the Republika Srpska.

It accordingly undertakes as a high priority to establish all the joint institutions provided for in the Constitution and make them fully operational as soon as possible, as well as to resolve such disputes as may arise within this framework. The institutions comprise the Council of Ministers, the Parliamentary Assembly, the Central Bank, the Constitutional Court and the Standing Committee on Military Matters.

The Presidency of Bosnia and Herzegovina recalls its acceptance of the principle of the consolidation period and of aligning the duration of the first term of each of the bodies elected on September 14 with the two-year first term of the Presidency, in accordance with Article V of Annex 4 to the Peace Agreement. It will ensure the implementation of this undertaking by each of the bodies concerned, so as to promote the complete success of the consolidation period.

Conscious of the issues at stake in the peace process, the Presidency of Bosnia and Herzegovina expresses its gratitude to the international community for its efforts to establish and strengthen peace in Bosnia and Herzegovina. It recognises that the role of the international community remains essential and welcomes the readiness of the international community to continue its efforts.

4) Consequently, the Steering Board and the Presidency of Bosnia and Herzegovina have concluded the following :

The priorities of the consolidation period are :

1 - Regional Stabilisation : pursuing control of armaments at the lowest possible level of weapons, and fully implementing the agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996;

2 - Security : creating a secure environment, re-establishing law and order, developing an independent judiciary, establishing democratic police forces; and strengthening the IPTF;

3 - Human rights : ensuring full respect by all governmental authorities for the human rights of all persons, and supporting fully the work of the Human Rights Commission composed of the Ombudsperson and the Human Rights Chamber;

4 - Democratization : building genuine democracy, including by promoting free media and freedom of expression throughout the country;

5 - Elections : conducting municipal elections in 1997 as well as general elections in 1998;

6 - Freedom of movement : increasing and ensuring freedom of movement for all persons, goods and services throughout Bosnia and Herzegovina;

7 - Refugees and displaced persons : facilitating the return or resettlement of refugees and displaced persons through progressive, coordinated programs that address the need for local security, housing and jobs; and ensuring full compliance with Annex 7 as well as other established procedures.

8 - War Crimes : full cooperation with the International Criminal Tribunal, in accordance with the Peace Agreement; indicted persons must be surrendered to the Tribunal without delay;

9 - Reconstruction : ensuring that reconstruction and other economic assistance fosters the peace process as well as the development of economic and other links between different parts of Bosnia and Herzegovina, and rewards those communities which cooperate with the peace process;

10 - Market Economy : creating the best conditions for economic aid by constructing a market economy based on respect for free trade, open markets and the creation of a stable investment environment, by making the necessary legal reforms and by agreeing an IMF program;

11 - Reconciliation : continuing efforts to promote long term reconciliation, such as by re-establishing contacts among all peoples in Bosnia and Herzegovina, and working harder to resolve cases of missing persons;

12 - Education : re-establishing educational, university and vocational training systems, and

13 - Mine removal : ensuring that responsible authorities within Bosnia and Herzegovina remove mines, in coordination with the Mine Action Centre (MAC).

The two-year consolidation period is divided into action plans of twelve months each, with a review at the mid-term. Each action plan will be prepared, for approval by the Peace Implementation Council or its Steering Board, by the High Representative, in close consultation with the authorities of Bosnia and Herzegovina as well as with the principal international institutions involved in implementing the Peace Agreement.

The Steering Board invites the High Representative to prepare the first action programme with a view to its approval on the occasion of the Peace Implementation Conference, to be held in London on December 4-5, 1996.

The OSCE is requested to continue to provide assistance for the preparation and conduct of municipal elections and, when appropriate, to provide assistance in the establishment of the Permanent Election Commission, in accordance with Annex 3, with respect to the elections scheduled to close the consolidation period.

Concerning reconstruction, the resources required will be granted for an initial duration of one year, on the occasion of a Donor Conference, arrangements for which will be made in London on December 4-5, 1996. Depending on progress, another conference will be called at the mid-term of the consolidation period. The donors will endeavour to implement the conclusions of the Economic Task Force, chaired by the High Representative, on priorities and principles of international reconstruction assistance.

5) Responsibility for consolidating the peace lies primarily with the authorities of Bosnia and Herzegovina, as was confirmed in particular in the joint declaration adopted in Geneva on August 14, 1996.

The Authorities of Bosnia and Herzegovina understand that the extent of the international support of the peace process depends on the strength of their own efforts. As noted above, there is a link between the availability of international financial assistance and the degree to which all the authorities of Bosnia and Herzegovina fully implement the peace agreement, including cooperation with the International Criminal Tribunal and cooperation with action programs prepared by the High Representative. In addition, the authorities of Bosnia and Herzegovina, as well as other Parties to the Peace Agreement, understand that the Security Council, in accordance with its resolution 1074, will consider the imposition of measures if any Party fails significantly to meet its obligations under the Peace Agreement.

6) The Steering Board and the authorities of Bosnia and Herzegovina recognize the need for the High Representative to continue to perform his tasks throughout the entire consolidation period. His task needs to be reinforced in the following areas in particular:

- as Chairman of the Principals' meetings, as Chairman of the Economic Task Force and as Chairman of other meetings with key Implementation Agencies;

- in case of conflicting interpretations of the civilian implementation of the peace settlement, as the final authority in theater in accordance with Article V of Annex 10. In case of dispute, the High Representative may give his interpretation and make his recommendations known public,

- making recommendations to the authorities of Bosnia and Herzegovina or its entities.

7) Recognising the fundamental importance of a secure environment to the task of civilian implementation, the participants welcomed the ongoing study by NATO members in cooperation with other States participating in IFOR of options dealing with the evolving situation.

8) Aware of the importance of Agreements signed in Vienna on 26 January 1996 and in Florence on 14 June 1996 pursuant to Articles II and IV of Annex 1 B of the Peace Agreement, and determined to resolve the difficulties encountered in the application of those Agreements, the Parties reaffirmed their commitment to full implementation and strict avoidance of circumvention of any provisions of either agreement, especially with regard to the reduction of heavy weapons as set forth in the Agreement on Sub-Regional arms control. The Parties agreed to cooperate fully with each other and the OSCE Personal Representatives to resolve outstanding issues in the shortest possible time, but no later than the end of 1996. They requested the OSCE to continue the assistance that it is currently providing them in implementation of the Agreements.

With respect to regional arms control, and depending on satisfactory progress on the implementation on Articles II and IV, efforts undertaken to promote the implementation of Article V of Annex 1B will continue. It is expected that these issues will be

adressed at the Summit of the Heads of States and Governments of the OSCE in Lisbon, on December 2-3, 1996.

9) The participants welcomed the holding of a plenary session of the Peace Implementation Council to take place in London on December 4-5, 1996. They hope that the conclusions of this conference will implement the guiding principles which they have adopted today. The Steering Board will play its role in full in the preparation of the London Conference. With that in mind, it accepts Germany's invitation to host a Steering Board meeting in Bonn, on 26 and 27 November 1996./.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1996/969
22 November 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 8 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF MALI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith the text of a communiqué issued by the Government of Mali on developments in the situation in eastern Zaire (see annex).

I should be grateful if you would arrange to have the text of this letter and of the communiqué circulated as a document of the Security Council.

(Signed) Moctar OUANE
Ambassador
Permanent Representative

96-33389 (E) 221196 221196

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Annex

Communiqué issued by the Government of Mali on developments in the situation in eastern Zaire

The tragic events which have shaken the province of Kivu in Zaire in recent days, resulting in the exodus of more than 1 million people, are a source of deep concern to the Government of Mali.

The international community in general and Africa in particular cannot and must not remain indifferent in the face of this human drama whose consequences for the Great Lakes region cannot be measured.

As it has always done in the past, Mali stands ready to help contribute to the establishment of any intervention force that may be set up under the auspices of the Organization of African Unity and the United Nations for the purpose of safeguarding the lives of millions of Africans that are in jeopardy today.

Mali cannot stand by passive and indifferent to the plight of these children, women and elderly persons buffeted by interests that do a disservice to Africa and all mankind.

A national day of solidarity of Malian schools with the children of these beleaguered zones is to be observed on 28 November 1996.

A statement will be read out on that occasion and in every classroom in Mali at the same time.

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S/1996/970
22 November 1996

ORIGINAL: ENGLISH

LETTER DATED 22 NOVEMBER 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 22 November 1996, which I have received from the Secretary-General of the North Atlantic Treaty Organization (see annex).

I would appreciate your bringing it to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-33487 (E) 221196

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Annex

Letter dated 22 November 1996 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with Security Council resolution 1031 (1995), I attach the twelfth report on implementation force (IFOR) operations. I would appreciate your making this report available to the Security Council.

Sadly, over the past month, we have witnessed several dangerous incidents arising from the return of refugees across the Inter-Entity Boundary Line into areas in and near the Zone of Separation. Agreed procedures were not followed, weapons were reintroduced into the Zone of Separation, and violence resulted. Whilst IFOR has taken firm action to defuse these incidents and prevent further ones, military measures are no substitute for a longer-term political strategy to bring about cooperation and reconciliation. The international community must continue to bring pressure to bear on the members of the Bosnian Presidency to translate into concrete agreements the political commitments they have entered into, most recently at the Paris Conference.

As we prepare for the end of IFOR's mission, I should like to assure you that the force's overall capability will be retained through 20 December, and that it will continue to carry out its responsibilities until that time. In the meantime, NATO is actively considering, in close cooperation with the non-NATO contributors to IFOR, how it can best contribute to consolidating the peace beyond 1996.

(Signed) Javier SOLANA

Appendix

Twelfth Report to the United Nations Security Council on IFOR Operations

IFOR Operations

1. The multi-national implementation force (IFOR) currently comprises approximately 51,000 personnel deployed in Bosnia and Herzegovina and Croatia from all the NATO nations and from 17 non-NATO troop contributors. With IFOR now in the last phase of its mission in Bosnia and Herzegovina, personnel numbers are decreasing as nations begin to transfer their forces out of the theatre. IFOR's overall capability will, however, be retained until December, when its mandate comes to an end.

2. The deployment of HQ LANDCENT into Bosnia and Herzegovina, which began on 1st October, is now complete. On 7th November, General Crouch succeeded Admiral Lopez as COMIFOR. The Transfer of Authority (TOA) from HQ ARRC to the new IFOR HQ took place on 20th November.

3. IFOR air assets continue to provide the capability required to secure the air space, defend and support IFOR ground forces, provide support to civilian agencies within mission capabilities, and monitor compliance with the Peace Agreement. IFOR maritime assets also remain deployed in support of the Operation.

4. IFOR continues to fulfil its primary mission to implement the military tasks of the Peace Agreement. During the reporting period, IFOR troops have continued to inspect cantonment sites and have confiscated and destroyed weapons. Patrolling has been increased in order to counter the risks arising from increased tension in and around the Zone of Separation (ZOS) and the Inter-Entity Boundary Line (IEBL) caused by the return of refugees to their former homes (paragraphs 7, 8 and 9 below refer). Subject to the fulfilment of this primary mission, IFOR has continued to provide support to the Office of the High Representative (OHR) and to the other civilian organizations in theatre, including through the provision of security for the joint Presidency meetings.

5. IFOR has continued to provide support to the United Nations Transitional Administration for Eastern Slavonia (UNTAES) throughout the reporting period, through regular, coordinated close air support training missions over Eastern Slavonia.

Cooperation and Compliance by the Parties

6. The Parties remain in general compliance with the military aspects of the Peace Agreement. The movement and storage of air defence and heavy weapons is complete, and the majority of incidents of non-compliance over the reporting period have been minor, involving the confiscation of small arms and explosives..

7. During the reporting period, however, there has been an escalation in the number of incidents relating to civilian Freedom of Movement (FOM) and

Freedom of Return (FOR). With respect to FOM, there have been continued restrictions in the Stolac and Mostar area. The bus service established between Prijedor and Sanski Most has been stopped, with no plans for its resumption in the near future. Tension also continued to run high in the Maglaj area. During the first two weeks of November, IFOR and the United Nations International Police Task Force (IPTF) dismantled five illegal civilian checkpoints.

8. With respect to FOR, houses belonging to every ethnic group have been destroyed - by bulldozer, arson or explosion - in villages near the ZOS in an attempt to prevent refugees from returning. On 11th November, in the most serious incident to date, several hundred Bosniacs, many of whom were armed, crossed the IEBL at Celic, south of Brcko, to occupy the small village of Grajevi on the Serb side of the ZOS. Following an ultimatum from the Bosnian Serb military authorities for the Bosniacs to leave, negotiations took place between IFOR and the Bosnian Serbs. However, on 12th November, there was an exchange of gunfire between Bosnian Serbs and Bosniacs which resulted in at least one death and several wounded from both sides. IFOR troops cordoned off the area and succeeded in quelling the disturbance and in restoring calm, although the situation remained tense. There is clear evidence that some of the Bosniac refugees were armed, and that Bosniac army personnel were involved. On the Bosnian Serb side, there were also violations of the weapons ban in the ZOS. Thus, on 14th November, IFOR and the IPTF confiscated approximately 4,000 weapons from a Bosniac army storage site and a number of small arms from a Bosnian Serb police station at Koraj. IFOR has now set up a temporary Restricted Operating Zone (ROZ) around Celic, within which all long-barrelled weapons and military personnel have been prohibited.

9. On 12th November, IFOR, the OHR, the IPTF and the United Nations High Commissioner for Refugees (UNHCR) protested to the joint Presidency and to the President of the Federation and the Republika Srpska that the Koraj/Celic incident was a serious violation both of the provisions of the Peace Agreement and of the procedure established for return and reconstruction in the ZOS. This Procedure has now been suspended for the entire ZOS, and the International Commission will neither receive nor process any new or old applications for return. IFOR continues to urge all Parties to take steps to prevent further such incidents.

10. No Party is yet judged to be in compliance as far as mine clearing is concerned. It is estimated that only 11% of the total number of mine fields in Bosnia have been cleared, and there have been minimal efforts made in this respect. IFOR has therefore imposed selective bans on training activities and movements on units from all three Parties until adequate demining operations are undertaken.

11. On 12th November, President Plavsic of the Republika Srpska informed IFOR that Maj. Gen. Colic had been sworn in as the new Chief of the General Staff of the RS Army. She further requested that all international agencies conduct all military and related business with him. IFOR is complying with this request in close concert with the OHR.

Cooperation with International Organizations

12. IFOR's close cooperation with the international civil organizations in Bosnia continues. At the end of October, IFOR and IPTF, together with the local authorities, set up Operation COMET, aimed at preventing the destruction of property in the ZOS and apprehending offenders. In addition, IFOR support has been provided to the IPTF in Mostar in monitoring the local police force and in helping to ensure the disbandment of unauthorized civilian armed groups.

13. Support has continued to be provided to the OHR in its efforts to develop the common institutions and the supporting constitutional framework. The provision of experts, transport and communications support, and support for short-term rehabilitation and construction projects will continue.

14. IFOR continues to support the Organization for Security and Cooperation in Europe (OSCE) in its responsibilities with regard to the implementation of the Article II Confidence-and-Security-Building-Measures Agreement and the Article IV Subregional Arms Control Agreement. IFOR continues to share relevant information on weapons holding with the OSCE on a regular basis.

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Security Council

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S/1996/971
25 November 1996

ORIGINAL: ENGLISH

LETTER DATED 20 NOVEMBER 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to resolution 866 (1993) of 22 September 1993, by which the Security Council authorized the establishment of the United Nations Observer Mission in Liberia (UNOMIL), and to resolution 1020 (1995) of 10 November 1995, by which the Security Council decided to adjust the mandate of UNOMIL.

Following the usual consultations, it is my intention to appoint Major-General Srikander Shami of Pakistan as Chief Military Observer (CMO) of UNOMIL. Major-General Shami will replace Major-General Talha of Egypt, who returned to his national service on 30 June 1996. I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-33649 (E) 251196 261196

UNITED
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Security Council

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GENERAL

S/1996/972
25 November 1996

ORIGINAL: ENGLISH

LETTER DATED 25 NOVEMBER 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 20 November 1996 (S/1996/971) concerning your intention to appoint Major-General Srikander Shami of Pakistan as Chief Military Observer (CMO) of the United Nations Observer Mission in Liberia (UNOMIL) to succeed Major-General Mahmoud Talha of Egypt has been brought to the attention of the members of the Council. They welcome the proposal contained in your letter.

(Signed) Nugroho WISNUMURTI
President of the Security Council

96-33655 (E) 251196

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Security Council

Distr.
GENERAL

S/1996/973
25 November 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Moroccan Government wishes to call the attention of the members of the Security Council to the serious discrepancies noted from a reading of the draft resolution currently being prepared on Western Sahara in connection with the settlement plan.

Firstly, this draft conceals the true reasons for the impasse in the process, the principal one being the refusal of the other party to participate in identifying a large number of applicants registered in good and due form.

The Secretary-General had, however, duly drawn the attention of the Security Council to this situation in his report of 24 November 1995 (S/1995/986), and had proposed a solution to circumvent that refusal. A draft resolution had been prepared in order to endorse the proposal of the Secretary-General.

As you know, however, having been distributed in provisional form and adopted in informal consultations, the draft was abandoned in response to the demands of those who were blocking the process, although they had no right to dictate the rules to be followed for the identification process.

The draft resolution makes no mention, moreover, of the achievements of the United Nations Mission for the Referendum in Western Sahara (MINURSO), such as the completion of the phase of registration of candidates and the consequent obligation of the Identification Commission towards all those whose applications had been registered in good and due form, which consists in proceeding with their identification without discrimination between those listed in the 1974 census and those who are not so listed.

My Government readily understands the need to emphasize the progress achieved in order to justify the extension of the mandate, an extension which we all desire, but it considers that the Council had the duty to indicate clearly to the Secretary-General and to his Acting Special Representative the measures to take in order to ensure the resumption of the process and its implementation.

Instead of that, the draft appears to take liberties with the settlement plan and gives directives to the Secretary-General without defining the legal framework for his action, which remains the settlement plan.

Lastly, we note with surprise that this draft introduces elements which are quite incompatible with the settlement plan, since many of its paragraphs are based on the question of contacts.

The Security Council, being aware that those contacts, officially described by our Government as "contacts with a part of the Saharan population and our lost sons with the aim of inducing them to return to the motherland", were not part of the settlement plan, should refrain from mentioning them in its resolutions, as the draft resolution would do.

Unfortunately, we note not only that the draft resolution being circulated contains references in several paragraphs to those contacts, but also that the references go far beyond the true scope of the contacts and the genuine signal of progress which the Council wishes to transmit as a justification for the extension of the mandate of MINURSO.

The Moroccan Government, which cannot reconcile itself to such provisions, wishes to appeal to the wisdom of the Council in order to ensure that the other party's desire for publicity does not outweigh the desire of the Council to comply with the settlement plan and to apply the measures available to it in order to ensure that the established rules are respected.

I should be grateful if you would have this letter circulated to the members of the Security Council and to have it issued as a document of the Council.

(Signed) Ahmed SNOUSSI
Ambassador
Permanent Representative

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General Assembly
Security Council

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GENERAL

A/51/690
S/1996/974
25 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 81
REVIEW OF THE IMPLEMENTATION OF
THE DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-first year

Letter dated 25 November 1996 from the Chargé d'affaires a.i.
of the Permanent Mission of Croatia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith an aide-mémoire from my Government concerning the Prevlaka peninsula in Croatia (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under agenda item 81, and of the Security Council.

(Signed) Ambassador Vladimir DROBNJAK
Chargé d'affaires, a.i.

96-33699 (E) 261196

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Annex

Aide-mémoire of the Republic of Croatia concerning Prevlaka, dated 25 November 1996

1. A letter from the Chargé d'affaires of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General of the United Nations, and an aide-mémoire concerning Prevlaka, were distributed as a document of the fifty-first session of the General Assembly under agenda item 81 (Review of the Implementation of the Declaration on the Strengthening of International Security), and of the Security Council (A/51/563-S/1996/864 of 14 November 1996). In a lengthy aide-mémoire the Federal Republic of Yugoslavia attempts to present a case that a part of the Prevlaka peninsula in Croatia should belong to the Federal Republic of Yugoslavia.

2. Unfortunately, the claim by the Federal Republic of Yugoslavia to a part of the territory of its neighbouring State, the Republic of Croatia, does not contribute to the "strengthening of international security". The Croatian Government will not elaborate on this counterproductive document by the Federal Republic of Yugoslavia. Instead, it will only highlight some basic facts relevant under international law concerning the Prevlaka peninsula, which is an integral part of Croatia.

3. The Prevlaka peninsula has uninterruptedly been part of Croatia since the fifteenth century through various forms of Croatia's statehood, including during the period of the Socialist Federal Republic of Yugoslavia. After gaining independence on 8 October 1991, Croatia's boundaries within the former Yugoslavia, including the boundary with the Republic of Montenegro, became "frontiers protected by international law" based on the principle of international law uti possidetis. This was explicitly determined by the Arbitration Commission of the Conference on Yugoslavia (para. 2, opinion No. 3, of 11 January 1992).

4. From the moment of Croatia's independence, first Montenegro, and then the Federal Republic of Yugoslavia, formed by Montenegro and Serbia, attempted by various means, peacefully as well as by force, to change the frontier at the southernmost end of Croatia - the Prevlaka peninsula.

5. The "Conclusions", adopted by the Parliament of Montenegro on 7 October 1991, one day prior to Croatia's independence, was the first in a series of documents in which the changing of the frontier with Croatia was proposed. Point 4 of the "Conclusions" required the delegation of Montenegro to "raise the issue of the borders between the Republic of Montenegro and the Republic of Croatia" at the Conference on Yugoslavia. This frontier was described as the "existing administrative border between the Republics of Montenegro and Croatia" and the reason stated for "raising the issue of borders" were "historic, geographic and other interests arising from the military significance and strategic position of Prevlaka and the entire Boka Kotorska Bay".

Along the lines of these "Conclusions", on 8 October 1991, the Parliament of Montenegro adopted the "Initiative for a negotiated determination of the sea and land border between the Republics of Montenegro and the Republic of

Croatia", where the argument for commencing border negotiations was that "the existing border in the area of the Prevlaka peninsula is a hindrance to the establishment of a just and rational boundary in coast waters and continental shelf, and therefore ... minor corrections are necessary" (Point 2). In the "explanation of the Initiative", which was sent to the Croatian Parliament on 12 October 1991, it is reiterated that "It is necessary to commence negotiations on a minor correction of the land border in the area of Prevlaka and Vitaljine ...".

The President of the Croatian Parliament, in his answer of 15 October 1991, rejected the idea of negotiating the frontier with Montenegro on the grounds that this issue, as requested by Montenegro, was already discussed within the Conference on Yugoslavia. The Arbitration Commission of the Conference declared its position on the matter in its Opinion No. 3 of 11 January 1992, based on a nearly 200-year-old international practice in respect of retaining of frontiers in cases involving the independence of States - the principle of uti possidetis.

6. The aggression by the Yugoslav army and the paramilitary troops from Serbia and Montenegro, which ensued in 1991 against the southernmost areas of Croatia, resulted in the occupation of the wider Dubrovnik area including the Prevlaka peninsula. This state of affairs was resolved through the Joint Declaration signed between the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia on 30 September 1992 in Geneva. It was decided that the Yugoslav army would leave Prevlaka, with security in the area to be resolved through demilitarization and through deployment of United Nations monitors. It was also agreed that the overall security for the Boka Kotorska and Dubrovnik areas was to be achieved through subsequent negotiations.

In accordance with Security Council resolution 779 (1992) of 6 October 1992, the United Nations Protection Force (UNPROFOR) assumed responsibility for supervising the complete withdrawal of the Yugoslav army from Croatia and the demilitarization of parts of the Prevlaka peninsula following the withdrawal of the Yugoslav army.

Pursuant to these documents, the Yugoslav army withdrew from this occupied area in the south of Croatia. The United Nations observers are still supervising the demilitarization of Prevlaka in accordance with further relevant Security Council resolutions. Resolution 1066 (1996) of 15 July 1996 extended the mission of the United Nations Military Observers on Prevlaka (UNMOP) until 15 January 1997.

The Joint Declaration of 30 September 1992, as well as all relevant Security Council resolutions, do not in any way question Croatia's sovereignty over the Prevlaka peninsula. Moreover, in its resolution 1066 (1996) on Prevlaka, the Security Council "reaffirmed once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia". Croatia agreed to have this part of its territory demilitarized in the interests of restoration of peace and security in the area.

The fact that Prevlaka, although demilitarized, is a part of the territory of Croatia is also supported by the border line entered into the map signed by the highest military and civil representatives of the Federal Republic of Yugoslavia in the demilitarization agreement.

7. In Dayton, in November 1995, the delegation of the Federal Republic of Yugoslavia presented to the delegation of Croatia a plan for a three-party exchange of territories, under which, inter alia, the Federal Republic of Yugoslavia would acquire parts of the Prevlaka peninsula and Croatia would receive parts of the Dubrovnik hinterland in Bosnia and Herzegovina. This offer, which was rejected by the delegation of Croatia, also proves that the Prevlaka peninsula in Croatia is indisputably Croatian territory from the viewpoint of the Federal Republic of Yugoslavia.

8. Finally, by the "Agreement on the Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia" of 23 August 1996, the two States agreed to respect each other within their international frontiers (art. 1). This means that, on the basis of the uti possidetis principle, they respect the borders they had as former republics within the dissolved Socialist Federal Republic of Yugoslavia at the moment of their respective establishment as independent States; the Republic of Croatia on 8 October 1991, and the Federal Republic of Yugoslavia on 27 April 1992.

In article 2 of the Agreement the two States confirmed that they "... shall carry out the regulation of their frontiers and the delimitation through mutual agreement ...". Since the frontiers on land have long been established they are only to be "regulated" (marked), while "delimitation" is to be carried out at sea, because the sea boundaries between the former Yugoslav republics were never determined. Once marked on land, delimitation of sea boundaries shall be carried out in accordance with relevant rules of international law.

In the Agreement, the Prevlaka peninsula is dealt with in a separate article, detached from the territorial clauses - as a security issue in the domain of "security of the part of the territory of the Republic of Croatia in the area of Dubrovnik and the part of territory of the Federal Republic of Yugoslavia in the area of Boka Kotorska Bay". The Contracting Parties undertook to settle this issue through mutual negotiations in keeping with the spirit of the Charter of the United Nations and the principle of good-neighbourliness, and agreed to respect the monitoring regime established by the United Nations until a mutual agreement is reached.

Thus, Croatia and the Federal Republic of Yugoslavia have arrived at an arrangement for satisfying the security needs of the Boka Kotorska and Dubrovnik areas centred on a part of the Prevlaka peninsula. The security of the aforementioned is subject to further negotiations. However, the Agreement does not mention Prevlaka as a territorial issue, nor, bona fide, can there be any dispute about this.

9. Croatia has always been prepared to settle all disputes with its neighbours peacefully. However, as before, Croatia shall not cede any part of its territory as a price for peaceful settlement of outstanding issues, but rather, it shall defend its territory by all means available to all States equally under international law. In this regard, Croatia is fully confident that it has the support of the entire international community; support based on the principal provisions of the Charter of the United Nations.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/975
16 November 1996

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 16 November 1996 (S/1996/959 and Corr.1),

Decides:

(a) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(b) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1997;

(c) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement Security Council resolution 338 (1973).

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